

IN THE CASE OF: [REDACTED]

BOARD DATE: 1 August 2024

DOCKET NUMBER: AR20240000388

APPLICANT REQUESTS:

- reconsideration of his previous request for correction of his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to award the Armed Forces Expeditionary Medal (AFEM) for his service in Germany
- a video/telephonic appearance before the Board.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DA Form 24 (Service Record) page 3

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20110011773 on 1 December 2011.
2. The applicant states some of his unit was shipped to Germany because of the Berlin Wall. He was in Germany from 7 April 1962 thru 22 September 1962. This was a critical time and should be considered an expeditionary deployment and earn him the AFEM.
3. The applicant provides a copy of the third page of his DA Form 24 which shows in Section 5 (Service Outside the Continental United States) he served in Germany from approximately 7 April 1962 through 22 September 1962 (5 months and 16 days) and again from 24 October 1963 through 18 November 1963 (26 days).
4. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 27 June 1961.
 - b. His DA Form 20 (Enlisted Qualification Record) shows in Block 29 (Foreign Service) he served in Germany on temporary duty (TDY) from 6 April 1962 through 23 September 1962.

c. His service record also includes the DA Form 24 which confirms he served in Frankfurt, Germany on the following dates:

- 7 April 1962 through 22 September 1962
- 24 October 1963 through 18 November 1963

d. The available service record is void of documentation showing the applicant served in Berlin.

e. The applicant was released from active duty on 26 June 1964. His DD Form 214 shows he completed 3 years of total active service. Block 24c (Foreign and/or Sea Service) lists 6 months and 16 days. It also shows he was awarded or authorized:

- Expert Pistol
- Expert Tank Gun
- Sharpshooter Rifle

5. On 1 December 2011, the ABCMR rendered a decision in Docket Number AR20110011773. The Board found the applicant's service record was void of evidence and he had not provided any evidence which shows he participated in operations in Berlin during his assignment in Germany. Therefore, there was insufficient evidence on which to award him the Armed Forces Expeditionary Medal.

6. Army Regulation 600-8-22 (Military Awards) states the Armed Forces Expeditionary Medal is authorized for qualifying service after 1 July 1958 in military operations within a specific geographic area during a specified time period. An individual, who was not engaged in actual combat or equally hazardous activity, must have been a bona fide member of a unit participating in, or be engaged in the direct support of, the operation for 30 consecutive or 60 nonconsecutive days provided this support involved entering the area of operations. Qualifying service for this award includes service in Berlin, Germany from 14 August 1961 through 1 June 1963.

7. By regulation (AR 15-185), an applicant is not entitled to a hearing before the ABCMR. Hearings may be authorized by a panel of the ABCMR or by the Director of the ABCMR

BOARD DISCUSSION:

1. The Board determined the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

2. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board noted that the applicant served in Germany from 7 April through 22 September 1962 and from 24 October through 18 November 1963. However, the applicant's service record is void of evidence and he has not provided any evidence which shows he served in Berlin during his assignment in Germany. Therefore, the Board determined there is insufficient evidence on which to award him the Armed Forces Expeditionary Medal.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
■	■	■	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis to amend the decision of the ABCMR set forth in Docket Number AR20110011773 on 1 December 2011.

8/1/2024

X

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR begins its consideration of each case with the presumption of administrative regularity, which is that what the Army did was correct.

a. The ABCMR is not an investigative body and decides cases based on the evidence that is presented in the military records provided and the independent evidence submitted with the application. The applicant has the burden of proving an error or injustice by a preponderance of the evidence.

b. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

2. Army Regulation 600-8-22 (Military Awards) states the Armed Forces Expeditionary Medal is authorized for qualifying service after 1 July 1958 in military operations within a specific geographic area during a specified time period. An individual, who was not engaged in actual combat or equally hazardous activity, must have been a bona fide member of a unit participating in, or be engaged in the direct support of, the operation for 30 consecutive or 60 nonconsecutive days provided this support involved entering the area of operations. Qualifying service for this award includes service in Berlin, Germany from 14 August 1961 through 1 June 1963.

//NOTHING FOLLOWS//